

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 01-00078 DAE
)	
Plaintiff,)	DECLARATION OF ERIC
)	A. SEITZ
GARY W. RODRIGUES,)	
)	
Defendant.)	
_____)	

DECLARATION OF ERIC A. SEITZ

ERIC A. SEITZ hereby declares under penalty of perjury as follows:

(1) I am one of the local counsel for Defendant Gary W. Rodrigues in the above entitled matter.

(2) I am informed and believe that the mittimus in this matter has been scheduled to issue on January 7, 2008.

(3) I am further informed that a petition for writ of certiorari has been prepared in Mr. Rodrigues' behalf and has been or will shortly be filed seeking review of the criminal convictions in the United States Supreme Court.

(4) I also represent Mr. Rodrigues in several pending civil matters in this Court and in the First Circuit Court of the State of Hawaii.

(5) In Endo vs. United Public Workers, et al, Civil No. 03-00563 DAE-KSC, in which Mr. Rodrigues is a third-party defendant, a jury trial is

scheduled to commence on January 15, 2008 at which time Mr. Rodrigues' presence will be required so that he can assist his counsel and testify in his own defense.

(6) In DeCosta vs. Gary W. Rodrigues, Civil No. 03-00598 DAE-LEK, in which Mr. Rodrigues is the only named defendant, trial is scheduled for March 11, 2008, and Mr. Rodrigues also will be required to be present at that time and provide testimony.

(7) Accordingly, we are requesting that the Court extend the mittimus date in this matter to enable Mr. Rodrigues to be present and participate in the two scheduled civil trials and in light of the filing of his petition for certiorari.

DATED: Honolulu, Hawaii, December 7, 2007.

/s/ Eric A. Seitz
ERIC A. SEITZ